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8 Attorneys for Defendant.  
9 CHEVRON U.S.A. INC.,  
a Pennsylvania corporation

10  
11 UNITED STATES DISTRICT COURT

12 CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION

13 MARK SNOOKAL, an individual,

14 Plaintiff,

15 vs.

16 CHEVRON USA, INC., a California  
Corporation, and DOES 1 through 10,  
inclusive,

17 Defendants.

18 Case No. 2:23-cv-6302-HDV-AJR

19 DEFENDANT CHEVRON USA, INC.’S  
OPPOSITION TO PLAINTIFF MARK  
SNOOKAL’S MOTION IN LIMINE NO.  
3 – TO EXCLUDE REFERENCES TO  
THIRD-PARTY MEDICAL  
INFORMATION

20 Date: July 24, 2025

Time: 10:00 a.m.

Place: Courtroom 5B – Fifth Floor

District Judge: Hon. Hernán De. Vera

Magistrate Judge: Hon. A. Joel Richlin

21 Action Filed: August 3, 2023

22 Trial Date: August 19, 2025

1                   **OPPOSITION TO PLAINTIFF'S MOTION IN LIMINE NO. 3**

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3                   **I.     INTRODUCTION**

4                   Defendant Chevron U.S.A. Inc., a Pennsylvania corporation (“Chevron U.S.A.” or  
5 “Defendant”), hereby opposes Plaintiff Mark Snookal’s Motion in Limine No. 3 seeking  
6 to exclude references to third-party medical information.

7                   Plaintiff’s motion to exclude evidence of third-party medical information should be  
8 denied because (1) it does not adequately describe the evidence Plaintiff seeks to exclude,  
9 and (2) third-party medical information is relevant to Plaintiff’s claim that Chevron  
10 U.S.A.’s alleged acts caused him emotional distress.

11                  As to the first point, during the meet and confer process, Plaintiff did not place any  
12 limitations on the “third-party medical information” he seeks to exclude. In a footnote in  
13 his motion, he states for the first time: “this Motion does not seek to exclude evidence  
14 relating to Mr. Snookal’s son....” While that resolves the bulk of the dispute, it still  
15 leaves open the question of exactly what would be excluded. For example, there are  
16 references in Plaintiff’s medical records to his ongoing strained relationship with his  
17 father, including the fact his son refuses to associate with his father. It is unclear whether  
18 Plaintiff is seeking to exclude that evidence. It is not strictly speaking “medical  
19 information” but Chevron U.S.A. referenced this evidence during the meet and confer  
20 process and Plaintiff did not deny—and still has not denied—that this is among the  
21 evidence he seeks to exclude.

22                  Second, the information Plaintiff apparently seeks to exclude includes evidence of  
23 other stressors the jury may reasonably find contributed to Mr. Snookal’s alleged  
24 emotional distress. In addition to his relationship with his father, Plaintiff’s medical  
25 records also reference various diseases, illnesses and other conditions his family members  
26 suffer from, including depression, substance abuse, and suicide. It would be reasonable  
27 for a jury to conclude that the ongoing stress associated with these family issues  
28 contributed at least in part to his alleged emotional distress, or that his family history of

1 depression is the actual cause of any purported emotional distress and not Chevron  
2 U.S.A.'s alleged acts.

3 For both these reasons, Plaintiff's Motion in Limine No. 3 should be denied.

4 **II. ARGUMENT**

5 **A. Plaintiff's Motion is Impermissibly Vague**

6 Federal Rule of Civil Procedure 7(b)(1) requires a moving party to state "with  
7 particularity" the grounds upon which a motion is made and the relief or order sought.  
8 Plaintiff fails to do so here. Instead, his motion simply states that he wishes to exclude  
9 information in his medical records pertaining to "third-party medical information and  
10 past diagnoses of [his] family members" without specifying precisely what records this is  
11 intended to encompass. Mot., 3:28-41. Plaintiff does not explain what the term "third-  
12 party medical information" is intended to mean, or identify any specific records that  
13 would be embraced by the term. As noted above, Plaintiff's medical records contain  
14 numerous references to third-parties, including references to Plaintiff's relationship with  
15 his father as well as references to his relationship with his wife and her family.

16 Declaration of Robert Mussig ("Mussig Decl.") ¶ 2. It is entirely uncertain whether  
17 Plaintiff is seeking to exclude this evidence, or evidence like it, although it appears he is  
18 because this evidence was referenced during the meet and confer process and Plaintiff did  
19 not disavow that position. This uncertainty is fatal to Plaintiff's motion. See Kelly v.  
20 New West Fed. Sav., 49 Cal. App. 4th 659, 671 (1996) (denying motion in limine  
21 because "[n]o factual support or argument was presented to suggest the nature and type of  
22 speculative testimony which [the defendant] expected to be elicited from plaintiffs");  
23 Boeken v. Philip Morris, Inc., 127 Cal. App. 4th 1640, 1675 (2005) (rejecting a purported  
24 objection to evidence in a motion in limine because the moving party did not "specify  
25 any particular evidence to be excluded").

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1           **B. Third-Party Medical Information is Relevant and Not**  
2           **Unfairly Prejudicial**

3           Plaintiff has put his mental state at issue by seeking to recover damages for alleged  
4 emotional distress purportedly arising from Chevron U.S.A.'s alleged acts. Chevron  
5 U.S.A. is entitled to show that Plaintiff's mental state may have been affected by causes  
6 or stressors other than Defendant's alleged acts. Sanchez v. U.S. Airways, Inc., 202  
7 F.R.D. 131, 136 ("To allow Plaintiffs to make a claim for emotional distress, but shield  
8 information related to their claim, is similar to shielding other types of medical records.  
9 For instance, if the injury at issue were to the knee, and Plaintiff had sustained a  
10 subsequent knee injury requiring treatment, Plaintiffs would not be able to hide the  
11 details of the subsequent knee injury because of privilege or privacy considerations....  
12 The only way to adequately review the facts is to bring to light relevant information.").  
13 "For each item of damages ... the plaintiff must show that the damage was proximately  
14 caused by the defendant's unlawful conduct. In turn, the [defendant] is entitled to show  
15 that other factors contributed to the plaintiff's damages." E.E.O.C. v. California  
16 Psychiatric Transitions, 258 F.R.D. 391, 400 (E.D. Cal. 2009). As such, medical records  
17 containing information regarding other possible stressors is directly relevant to Plaintiff's  
18 claims, and are admissible.

19           Here, Plaintiff's medical records show that Plaintiff has had many other stressors  
20 in his life that are undoubtedly related to his alleged emotional distress, and thus relevant  
21 to Plaintiff's claims. Among other things, his medical records show: "Mother had  
22 anxiety and depression, Maternal cousins have [history of] substance abuse. One has  
23 bipolar, one great uncle committed suicide[ ]. One . . . whole sister has anxiety. Two half  
24 sisters both anorexic and one has trichalomenia." Mussig Decl. ¶ 2. A jury could  
25 reasonably conclude that these stressors are the cause of any purported emotional  
26 distress, and not Chevron U.S.A.'s alleged acts. See California Psychiatric Transitions at  
27 400 (holding that medical records relating to plaintiff's depression were admissible to  
28 show that her emotional distress was not caused by alleged sexual harassment).

1 Notably, even when medical records may include additional information not  
2 directly related to the plaintiff's emotional distress claim, courts have still refused to  
3 exclude such records when they contain relevant information as to the plaintiff's  
4 emotional distress. Smith for J.L. v. Los Angeles Unified Sch. Dist., 2018 WL 6136812,  
5 at \*4 (C.D. Cal. Jan. 16, 2018), order clarified, 2018 WL 6137133 (C.D. Cal. Feb. 13,  
6 2018) (denying plaintiff's motion in limine to exclude medical records concerning  
7 plaintiff's visit to have warts removed, which was unrelated to the case, where the  
8 plaintiff directly placed at issue his medical condition, including his psychological  
9 condition, and the records mentioned that plaintiff had met with a social worker to  
10 discuss diet, exercise, and issues arising from stress due to parental conflicts and  
11 separation).

12 To the extent Plaintiff will suffer any prejudice (he will not), it is hardly unfair  
13 prejudice, and such prejudice does not substantially outweigh the probative value of the  
14 evidence. Also, any risk of unfair prejudice, of which there is little, can be avoided by an  
15 instruction from the Court, if needed, as to the limited purpose for which such evidence  
16 may be introduced. Tamko Roofing Products v. Ideal Roofing, 282 F.3d 23, 40 (1st Cir.  
17 2002). Finally, any third-party privacy concerns can be addressed by omitting the names  
18 of the individuals at issue and simply stating their relationship to Plaintiff.

19 **III. CONCLUSION**

20 For all the foregoing reasons, this Court should deny Plaintiff's Motion in Limine  
21 to exclude references to third-party medical information and instead permit Chevron  
22 U.S.A. to introduce such evidence as it sees fit.

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24 [signature appears on following page]

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1 Dated: July 15, 2025

2 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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4 By \_\_\_\_\_

*/s/ Robert Mussig*  
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9 CHEVRON U.S.A. INC.,  
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